

PTO/SB/30 (10-01)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington DC 20231

Application Number 09/804,484  
Filing Date 02/09/2001  
First Named Inventor Klein  
Art Unit 1632  
Examiner Name Falk, Anne Marie  
Attorney Docket Number 10457-018

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APR 29 2004

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

- i. ☒ Amendment/Reply 11 pages
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Reference 5 pages

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_

- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ 595.00 is enclosed (\$385 RCE fees; \$210 Ext. of Time Fees)

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Timothy H. Van Dyke	Registration No. (Attorney/Agent)	43218
Signature		Date	April 19, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, MAIL STOP: RCE, PO Box 1450, Alexandria, VA-22313-1450, or facsimile transmitted ((703) 872-9306) to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Timothy H. Van Dyke	Date	April 19, 2004
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

04/22/2004 SDENB01 00000117 09780041

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Docket No. 10457-018  
Application Serial No. 09/780,041

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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Applicant(s): Klein et al.	Examiner: Baker, Anne Marie
Application No.: 09/780,041	Group Art Unit: 1632
Filed: 02/09/2001	
Title: HUMAN DISEASE MODELING USING SOMATIC GENE TRANSFER	
Docket No.: UF-10293	

APR 21 2004

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Timothy H. Van Dyke

Date

**SUBMISSION UNDER 37 CFR § 1.114 AND PETITION FOR TWO-MONTH  
EXTENSION OF TIME**

Sir:

Applicants hereby petition for a two-month extension of time for which to respond to the office action dated November 19, 2004, up to and including April 19, 2004. Provided herewith is a Form 2038 that includes the appropriate extension of time fee.

On February 17, 2004, Applicants filed a response to the Office Action mailed in the captioned application on November 19, 2003. The Patent Office mailed an Advisory Action of March 19, 2004 indicating that the amendments in the response would not be entered. Applicants now file a Request for Continued Examination in conjunction with this Submission. Using the status of the claims on November 19, 2003, Applicants provide the following amendments and remarks:

**In the Specification:**

**Please replace the paragraph beginning at page 2, line 22 and ending on page 3, line 30 with the following:**

04/22/2004 SDENBOB1 00000105 09780041

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